



**COUNTY OF FLUVANNA, VIRGINIA
REQUEST FOR PROPOSALS (RFP) #2022-01
MERCHANT SERVICES - CARD PAYMENT SYSTEM**

ADDENDUM # 1:

Reference – Request for Proposal: RFP #2022-01
Title of Request for Proposal: MERCHANT SERVICES - CARD PAYMENT SYSTEM
Issue Date: September 28, 2021
Bid Due Date and Time: October 14, 2021 at 2 p.m. EST

The above RFP #2021-03 is hereby amended and modified as follows:

1. The following are clarifications from questions received:

a. In 3(C): *“General Requirements online payments ...*

vi. All online payers should receive an email copy of receipt immediately which includes a transaction number or confirmation number. Receipt data fields required in the Payment System include: name, address, fee name, amount, account, date and transaction or confirmation ID. ...”

- i. QUESTION: Please expand on the ask here? The receipting is a functionality of your POS system and your gateway not the processor

1. ANSWER: You are correct, however the processor must transmit any applicable data to Gateway and POS System. Also, the County does not have a Gateway. The solution must either (i) include a Gateway; or (ii) specifically note that a Gateway is not included and include a description of the compatible Gateways that can be separately purchased which will work with the Offeror’s proposed solution and brief descriptions of the same.

b. In 3 (D): *“Technical Specifications*

i. The successful Offeror shall provide a mechanism for allowing payment of County fees. The successful Offerors’ response will describe in detail how the solution addresses the following:

...

c. Provides a mechanism to send and receive data between other applications and systems in the County, including, but not limited to, the County’s Tyler Technologies MUNIS, Cashiering, Energov, and Citizen Self-Service systems.

d. Extracts data received from payments into formats accessible by standard data management utilities (e.g. Oracle, Excel, Access).”

- i. QUESTION: Please expand on the ask here? Tyler should communicate with all of your systems including your gateway (BridgePay). As a processor your gateway sends us over the customer payment data to process a transaction and we send back an approval or decline and move funds. Other than that the communication of data occurs and is entered into your Tyler and BridgePay systems.

1. ANSWER: This is correct, however, please note the county does not currently have a gateway in place. If another party is needed to fulfill this requirement, please be sure to

state that clearly in your proposal. The solution must either (i) include a Gateway; or (ii) specifically note that a Gateway is not included and include a description of the compatible Gateways that can be separately purchased which will work with the Offeror's proposed solution and brief descriptions of the same.

- c. In 3(D): "...vi. The Offeror must provide and support new, commercially available data capture/transmission devices. Merchant terminals must:
1. Be Tyler Technologies compatible and supported. Current models required by Tyler Technologies are Ingenico Lane/3000 and the Ingenico Lane/5000.
 2. Terminals shall have the ability to accept a reference number or invoice number that will be linked with the transaction. Terminals shall provide PCI compliant point-to-point encryption from the point of interaction until the data reaches the Offerors secured environment. This includes secure encryption of payment card data at the point of interaction, secure management of devices, and use of secure encryption methodologies and cryptographic key operations.
 3. The County desires to purchase appropriate terminals rather than leasing.
 4. Signature pads are not required.";" AND;
- In 3(E): "...ii. The County may move the location of the offices shown above one or more times during the term of any resulting Contract. The Offeror agrees to assist the County with any move which affects the terminals above at no additional cost or expense to the County. So long as the building where the terminals are being relocated to is owned or leased by the County or any agency or department thereof, the Offeror consents to such movement of its terminals as a condition of any resulting Contract."
- i. QUESTION: Please expand on the ask here? Integrated Terminals are a function of the POS system and are provided by the POS provider. Tyler Technologies will sell and or lease you any integrated terminals required to work with their system.
1. ANSWER: This is correct, however, please note the county does not currently have terminals. If another party is needed to fulfill this requirement, please be sure to state that clearly in your proposal. The solution must either (i) include terminals; or (ii) specifically note that terminals are not included. If included, terminals must code through EnerGov and Cashiering.
- d. In 3(H): "Rates, Fees, and Expenses
- i. The Successful Offeror must provide the automated credit card payment collection at no cost to the County (or no cost except purchase of terminals). Any transaction or convenience fees charged by the Offeror will be paid by the payer and will be charged as a separate item to the payer directly. The amount of any add on fee will be made clearly known to payers when they use the service, so they are aware of the added cost before completing the transaction. The Offeror will notify the County in writing at least 60 days prior to making any changes to the fee schedule being charged to payers and under the resulting Contract, the County shall have the option to terminate the Contract within thirty (30) days of receiving such notice for any increase in the fees charged to the payers. ..."
- i. QUESTION: Utilities transactions must be assessed a convenience fee. All other government payments (taxes, building inspection etc.) can be assessed a service fee. Convenience fees are flat fees placed on top of a transaction. The County would receive the convenience fee and the principal amount of the transaction and would be responsible for collecting those convenience fees to offset their merchant bill for utility transaction's only. Service fees are percentage based and assessed on all NON-utility transactions. Those fees would automatically offset your merchant statement without any additional interference for the county. Your statement above

in letter “I” states that payment collection will be at no cost to the County. Wells Fargo Merchant Services cannot compliantly process utility transactions in the manner you have requested. Is this an item that would exclude us from being considered?

1. ANSWER: The County requires the Successful Offeror provide the automated credit card payment collection system such that the net cost to the County after application of any fees paid by the payer is zero (except purchase of terminals). The County prefers that any service, transaction, convenience, or other fees will either be charged to and paid by the payer directly as a separate item, or can be charged to the County with such cost to the County charged to the payer so the net cost to the County is zero after application of such fee paid to the County by the payer. All such fees shall be consistent with Virginia Code 2.2-614.1 and all applicable law and the credit card company rules and regulations. The amount of any fee will be made clearly known to payers when they use the service, so they are aware of the added cost before completing the transaction. Different fees may apply to different payment types as required by law or the credit card companies, for example utility billing may have a different fee and process for collection of such fee than tax billing. The differences must be disclosed to the County on any applicable fee schedule or fee proposal. Transaction fees includes any lawful service fees. Specifically, so long as the County ends up at a no cost solution (except terminals) for payment processing such proposal will be considered, specifically, for utilities a Proposal may include a convenience fee to be charged to payer by the County at the time of payment and then that amount of the convenience fee paid to the County could be charged to the County by the Offeror as a fee for the Offeror's handling the transaction.
- e. In 4 (G): “Forms: All forms required to be submitted under this RFP must be included in the Proposal as an Appendix.
- i. Certificate of No Collusion
 - ii. Offeror Statement
 - iii. Proof of Authority to Transact Business in Virginia
 - iv. Vendor/Offeror Data Sheet
 - v. Other forms specific to this RFP including the Pricing Attachment”
- i. QUESTION: We were unable to locate any forms in the RFP with the exception of the Attachment A Pricing Summary and Exhibit 1 BUSINESS ASSOCIATE, CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT
1. ANSWER: This is an oversight, forms are attached to this Addendum 1.
- f. QUESTION: Exhibit 1 references a “seal”. Are you requesting a notary or just a signature of the business associate?
- i. ANSWER: Notary is not required on this specific form.
- g. QUESTION: Can the County please clarify the statement, “Any solution must be on Tyler’s approved system interface” (RFP p. 4)? We have integrated with several different Tyler products and can provide several references. Is this sufficient to meet this requirement?
- i. ANSWER: See Section 3(D)(v) of RFP. Tyler has a list of approved gateway processors currently Openedge and Bridgepay. The County prefers a standard gateway approved by Tyler. A non-

standard Gateway or a Gateway unapproved by Tyler could interfere with the County's existing contracts for EnerGov and other products with Tyler. The County understands that other interfaces MAY work, but in the event of issues, an unapproved interface is more likely to create situations where it becomes difficult to troubleshoot and resolve issues between multiple parties.

- h. QUESTION: Per RFP p. 8, "The system needs to be fully tested and operational no later than November 30, 2021." Due to this expedited timeline, does the County have a product in place that will facilitate implementation?
 - i. ANSWER: See Section 3(K) of RFP. The County has no system in place to take card payment.
- i. QUESTION: When does the County anticipate an award decision?
 - i. ANSWER: As soon as possible after the close of this RFP and vendor interviews are conducted.
- j. QUESTION: On required County forms that must be signed, will an electronic signature such as DocuSign be accepted?
 - i. ANSWER: No, some of the required forms require a notary signature, these will need to be original signatures. Signature may be e-notarized if all formalities require by applicable law are met.
- k. QUESTION: Could the County please clarify which departments will utilize the following payment methods?
 - i. Online credit/debit card and eCheck
 - 1. ANSWER: Planning, Building Inspections, and Treasurer using Tylers Citizen Self-Service. There is the possibility that this could expand in the future.
 - ii. In-office credit/debit card
 - 1. ANSWER: Planning, Building Inspections, and Treasurer using Tylers Cashiering. There is the possibility that this could expand in the future.
 - iii. In-office cash and check
 - 1. ANSWER: Planning, Building Inspections, and Treasurer using Tylers Citizen Self-Service. There is the possibility that this could expand in the future.
- l. QUESTION: On RFP p. 9, under "Other Requirements," there is a requirement to provide "Status of the company." Could the County please clarify what is meant by this?
 - i. ANSWER: It refers to the most recent reports of the financial status.
- m. QUESTION: Are responding vendors required to sign and return "Exhibit 1: Business Associate, Confidentiality and Non-Disclosure Agreement" at this stage?
 - i. ANSWER: No, this will be signed at the contracting stage.
- n. QUESTION: Can the County provide a date(s) when Building and Planning may require integration?
 - i. ANSWER: See Section 3(K) of RFP. Implementation - The system needs to be fully tested and operational no later than November 30, 2021.
- o. QUESTION: Can the County provide advance volume and revenue annually collected as well as individual ticket values?

- i. ANSWER: See section 3(F)(i) of the RFP. Individual ticket values will not be provided.
- p. QUESTION: Page 6, Sec H (i): Does the County anticipate any departments where the county will pay for the convenience fee on behalf of a bill payer (called absorbed or merchant paid fee)? If so, which ones and can anticipated transaction information be provided?
 - i. ANSWER: This is not in the County's plan.
- q. QUESTION: Page 6, Sec H (ii): Can the county elaborate with details concerning the Visa Utility Interchange Reimbursement Fee Program?
 - i. ANSWER: Please see item d above.
- r. QUESTION: Page 6, Sec H (j): Would the County accept references outside of the Commonwealth of Virginia?
 - i. ANSWER: References are not limited to Virginia, however, as stated in the RFP any Virginia clients must be included.
- s. QUESTION: Would the County require or consider proposals that include an IVR component and Mobile (handheld device) capability? Would additional consideration be given to those respondents that provide such capabilities?
 - i. ANSWER: This is not a requirement.
- t. QUESTION: Will the awarded vendor need to accept AMEX as a payment option?
 - i. ANSWER: This is not a requirement.

Note: A signed acknowledgment of this addendum must be received at the location indicated on the RFP either prior to the bid due date and hour or attached to your bid. Signature on this addendum does not substitute for your signature on the original bid document. The original bid document must be signed.

Very truly yours,

Cyndi Toler, Purchasing Officer
Fluvanna County, Virginia
132 Main Street
Palmyra, VA 22963
(434) 591-1930

Name of Firm: _____

BY: _____
Signature of duly authorized representative

Title: _____

Date: _____

VENDOR DATA SHEET

Note: The following information is required as part of your response to this solicitation. Failure to complete and provide this sheet may result in finding your bid nonresponsive.

1. Qualification: The vendor must have the capability and capacity in all respects to satisfy fully all of the contractual requirements.

2. Vendor's Primary Contact:

Name: _____ Phone: _____

3. Years in Business: Indicate the length of time you have been in business providing this type of good or service:

_____ Years _____ Months

4. Vendor Information:

FIN or FEI Number: _____ If Company, Corporation, or Partnership

5. Indicate below a listing of at least four (4) current or recent accounts, either commercial or governmental, that your company is servicing, has serviced, or has provided similar goods. Include the length of service and the name, address, and telephone number of the point of contact.

Company:	Contact:
Phone:	Email:
Dates of Service:	\$\$ Value:

Company:	Contact:
Phone:	Email:
Dates of Service:	\$\$ Value:

Company:	Contact:
Phone:	Email:
Dates of Service:	\$\$ Value:

Company:	Contact:
Phone:	Email:
Dates of Service:	\$\$ Value:

I certify the accuracy of this information.

Signed: _____ Title: _____ Date: _____

PLEASE RETURN THIS PAGE WITH BID SUBMISSION- (Attachment A)

PROOF OF AUTHORITY TO TRANSACT BUSINESS IN VIRGINIA

THIS FORM MUST BE SUBMITTED WITH YOUR PROPOSAL/BID. FAILURE TO INCLUDE THIS FORM MAY RESULT IN REJECTION OF YOUR PROPOSAL/BID

Pursuant to Virginia Code §2.2-4311.2, an Offeror/Bidder organized or authorized to transact business in The Commonwealth pursuant to Title 13.1 or Title 50 of the Code of Virginia shall include in its proposal/bid the identification number issued to it by the State Corporation Commission (“SCC”). Any Offeror/Bidder that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 of the Code of Virginia or as otherwise required by law shall include in its proposal/bid a statement describing why the Offeror/Bidder is not required to be so authorized. Any Offeror/Bidder described herein that fails to provide the required information shall not receive an award unless a waiver of this requirement and the administrative policies and procedures established to implement this section is granted by the County Administrator, as applicable. If this quote for goods or services is accepted by the County of Fluvanna, Virginia, the undersigned agrees that the requirements of the Code of Virginia Article IV.2-4311.2 have been met.

Please complete the following by checking the appropriate line that applies and providing the requested information. ***PLEASE NOTE: The SCC number is NOT your federal ID number or business license number.***

A.____ Offeror/Bidder is a Virginia business entity organized and authorized to transact business in Virginia by the SCC and such vendor’s Identification Number issued to it by the SCC is _____.

B.____ Offeror/Bidder is an out-of-state (foreign) business entity that is authorized to transact business in Virginia by the SCC and such vendor’s Identification Number issued to it by the SCC is _____.

C.____ Offeror/Bidder does not have an Identification Number issued to it by the SCC and such vendor is not required to be authorized to transact business in Virginia by the SCC for the following reason(s):

Please attach additional sheets if you need to explain why such Offeror/Bidder is not required to be authorized to transact business in Virginia.

Legal Name of Company (as listed on W-9)

Legal Name of Offeror/Bidder

Date

Authorized Signature

Print or Type Name and Title

PLEASE RETURN THIS PAGE WITH BID SUBMISSION (Attachment B)

CERTIFICATION OF NO COLLUSION

The undersigned, acting on behalf of _____, does hereby certify in connection with the procurement and bid to which this Certification of No Collusion is attached that:

This bid is not the result of, or affected by, any act of collusion with another person engaged in the same line of business or commerce: nor is this bid the result of, or affected by, any act of fraud punishable under Article 1.1 of Chapter 12 of Title 18.2 Code of Virginia, 1950 as amended (&&18.2-498.1 et seq.)

Signature of Company Representative

Name of Company

Date

ACKNOWLEDGEMENT

STATE OF VIRGINIA

FLUVANNA COUNTY, to wit:

The foregoing Certification of No Collusion bearing the signature of _____ and dated _____ was subscribed and sworn to before the undersigned notary public by _____ on _____.

Notary Public

My commission expires: _____

CODE OF VIRGINIA

& 18.2-498.4. Duty to provide certified statement:

A. The Commonwealth, or any department or agency thereof, and any local government or any department or agency thereof, may require that any person seeking, offering or agreeing to transact business or commerce with it, or seeking, offering or agreeing to receive any portion of the public funds or moneys, submit a certification that the offer or agreement or any claim resulting thereon is not the result of, or affected by, any act of collusion with another person engaged in the same line of business or commerce, or any act of fraud punishable under this article.

B. Any person required to submit a certified statement as provided in paragraph A, above who knowingly makes a false statement shall be guilty of a Class 6 felony. (1980, c.472)

a false statement shall be guilty of a Class 6 felony. (1980, c.472)

PLEASE RETURN THIS PAGE WITH BID SUBMISSION- (Attachment C)

OFFEROR STATEMENT

Undersigned Bidder hereby certifies that he/she has carefully examined all conditions and specifications of this invitation for Bid and hereby submits this bid pursuant to such instructions and instructions.

Type or Print Name & Title of Authorized Person

Signature of Authorized Person Submitting This Bid

Date

SUBSCRIBED AND SWORN to before me by the above named

_____ on the ____ day of _____, 2013

Notary Public in and for the State of _____

My commission expires: _____

PLEASE RETURN THIS PAGE WITH BID SUBMISSION- (Attachment D)